

Evidence to the Secondary Legislation Scrutiny  
Committee for its consideration of the Statement of  
Changes to the Immigration Rules: HC 733, 12 March  
2025



## Introduction

1. Work Rights Centre is a registered charity dedicated to supporting migrants to access employment justice and improve their social mobility. We do this by providing free and confidential employment and immigration legal advice, and general employability support, and by mobilising frontline intelligence to address the systemic causes of migrants' inequality. The charity was founded in 2016. Ever since, we have advised over 6,000 people, and helped recover over £500,000 in unpaid wages and fees, and supported hundreds more to make job applications and secure their immigration status. Our frontline service consists of two multilingual teams of advisers who operate in London (5 days a week) and Manchester (on Saturdays). Together, the advice team assist an average of 20 beneficiaries a week, with issues which range from non-payment, insecure immigration status, and career advice.
2. We ask that the Secondary Legislation Scrutiny Committee draw the Statement of Changes to the Immigration Rules: HC 733, published on 12 March 2025, to the special attention of the House, on the following bases:
  - a. that the statutory instrument is politically or legally important or gives rise to issues of public policy likely to be of interest to the House;
  - b. that it may imperfectly achieve its policy objectives; and
  - c. that without reconsideration, the policies underlying these changes risk breaching the UK's international human rights obligations.

## Background

3. The Statement of Changes HC 733 contains a number of changes to the Immigration Rules across different visa routes. For the purpose of this submission, we focus specifically on the changes that have been outlined for care workers and senior care workers under the Skilled Worker route - a visa route which allows foreign nationals to arrive and respectively remain in the UK

to work, on condition they have a job offer from, and continue to work for, an employer licensed by the Home Office to sponsor them.

4. The changes will require care sector employers who hold a licence to sponsor foreign workers to first try to recruit from a local pool of migrant care workers who seek employment due to no longer having sponsorship (because their sponsors have been unable to offer sufficient work and/or have lost their sponsor licences), before they can sponsor any new recruits from other immigration routes or overseas.
5. Under the change, the regional and sub-regional partnerships set up through the Department of Health and Social Care's (DHSC) International Recruitment Fund to rematch this pool of care workers back into alternative sponsored employment (herein referred to as the 'Rematching Scheme'),<sup>1</sup> will need to provide employers with confirmation that no suitable workers were available from this pool, before they are permitted to sponsor workers from other immigration routes or from overseas.
6. The change only relates to care jobs with working locations entirely in England. Applications relating to working locations in Scotland, Wales or Northern Ireland are unaffected. The changes also do not apply to workers in England who were already sponsored in care worker and senior care worker roles before the changes take effect (including those changing employers), or those switching from other immigration routes who have been working lawfully for their sponsor for at least three months.

### **The Statement of Changes is politically and legally important, and raises public policy issues**

7. The Explanatory Memorandum states:

*'7.3 Regarding the changes relating to care workers in the Skilled Worker route, the Home Office and Department of Health and Social Care have had extensive engagement with the sector through a range of stakeholder calls and in-person sessions. **It has become clear that there are a number of care workers who have been displaced as a result of non-compliant sponsors losing their licence and these changes are aimed at helping***

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<sup>1</sup> DHSC, 'Support Offer to International ASC Workers Whose Employer's Sponsor Licence Has Been Revoked', GOV.UK, 2025, <https://www.gov.uk/government/publications/support-offer-to-international-asc-workers-whose-employers-sponsor-licence-has-been-revoked>.

***those already in the UK who have been affected back into work within the care sector before new international workers are recruited.***

8. To illustrate the scale of the public policy issue at stake, the government's press release published on the same day as the Statement of Changes states:

*'Between July 2022 and December 2024, the government has revoked more than 470 sponsor licences in the care sector to clamp down on abuse and exploitation. **More than 39,000 workers have been associated with these sponsors since October 2020.***

9. It is important to understand the serious negative effects of licence revocation on individual workers. When an employer loses their licence to sponsor, the immigration status of all migrant workers sponsored by them is at risk. Officially, workers have a maximum of just 60 days from the point that they are notified by the Home Office that their visa will be curtailed in which to find a job with another registered sponsor, make and pay for a separate immigration application in order to remain in the UK legally, or leave the country. Even though in practice frontline advisers have reported delays in curtailment, the absence of an official written policy in Home Office guidance makes this a highly precarious status which can end at any point.
10. Though in theory workers can change their employer, in practice this has proven extremely difficult – with dangerous repercussions for workers and any dependants:
- a. 60 days is almost never long enough for workers to secure alternative sponsored employment. Our recent research found that less than half of Health and Care workers who tried to find a new sponsor managed to do so, and only a very small minority managed this within the 60-day window.<sup>2</sup>
  - b. There is no official central register of sponsors that workers can filter by industry, location or available vacancies, meaning workers can only “hit and hope” that they will find another employer to sponsor them. The visa rules do not permit them to take up any other employment in the interim.

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<sup>2</sup> Sehic, Vicol & Savitski, [“The forgotten third: migrant care workers’ views on improving conditions in England’s adult social care sector”](#), Work Rights Centre, 33, published 12 November 2024.

- c. Crucially, workers are not permitted to take up employment with a non-licenced employer in the interim, and have No Recourse to Public Funds - this means they cannot access state benefits and have no financial safety net during this period, leaving them completely vulnerable to homelessness and destitution.<sup>3</sup> The effect of this is worsened if, as has been commonly reported, workers have been tricked into paying illicit recruitment fees by overseas agents, sometimes running themselves into tens of thousands of pounds of debt.<sup>4</sup>
  - d. If workers get past these barriers, they must submit a new visa application for themselves and any dependants, costing thousands of pounds.
11. The true effects of the Home Office's revocation action are also likely to be much higher than the 39,000 figure that has been provided by the government, considering that many workers in the social care sector arrived to the UK with dependant family members, who will also be affected. For example, around 120,000 family members of migrant care workers received visas in 2023, joining the roughly 100,000 main applicants on the scheme in that year. The overall cohort of affected individuals is therefore likely to be many thousands higher than the figure of 39,000.
12. **We are concerned that this issue has now spiralled into a national crisis where tens of thousands of migrant workers and their dependants who recently arrived in the UK on legitimate grounds are at risk of losing their immigration status, experiencing homelessness and ultimately destitution. Indeed, for many of the individuals our charity supports, this has already materialised.**
13. In these circumstances, it is imperative that the House pay special attention to these policy changes in the Statement of Changes. As is explained in the course of this submission, they are politically and legally important and give rise to issues of public policy likely to be of interest to the House, and are unlikely to achieve its policy objective.

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<sup>3</sup> Åhlberg, '[How Work Visa Design Is Driving Exploitation of Migrant Care Workers](#)', Citizens Advice, 11 March 2024.

<sup>4</sup> Das, "[Revealed: migrant care workers in Britain charged thousands in illegal recruitment fees](#)", The Observer, 18 June 2022.

## The statement of changes will imperfectly achieve its policy objectives

14. The policy change contained in this statement of changes is the latest in a series of interventions through which this and the previous government have ostensibly sought to address the issue of migrant workers' exploitation by regulating sponsors, without formally investigating, or addressing, the systemic drivers of exploitation inherent within the Skilled Worker visa route itself - and without providing any real remedy for workers affected. These interventions include:

- a. a December 2024 requirement that sponsors are registered with the Care Quality Commission. This was always a largely futile requirement, given that the CQC is not a labour enforcement agency, and all employers reported by our clients to have breached their rights were already registered with the CQC;
- b. stricter licensing requirements and sponsor compliance activities by the Home Office. This is a welcome intervention in prevention, but sadly it offers no remedy for workers already exploited, and no protection for the thousands of workers directly affected by Home Office enforcement action against employers;<sup>5</sup>
- c. increasing sanctions on employers for non-compliance. In November 2024, the government announced that employers who are found to be repeatedly breaching visa and/or employment rules would be banned from hiring migrant workers for at least two years, from the previous maximum of 12 months.<sup>6</sup> It also announced that the duration of action plans given to those sponsors needing to rectify a minor visa breach before being allowed to sponsor workers for new roles would be extended, from a maximum of three months to 12 months.

15. The establishment of regional partnerships to rematch migrant care workers to new sponsors using DHSC funding, to which this statement of changes contributes, is arguably the only worker-facing measure adopted to date.

16. However, it is not at all clear from the available evidence that the proposed policy of forcing sponsors to attempt to first recruit from the Rematching

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<sup>5</sup> Andrei Savitski and Dora-Olivia Vicol, 'The Home Office Targets Rogue Sponsors, but Workers Also Need Safeguarding', Work Rights Centre, 2024, <https://www.workrightscentre.org/news/the-home-office-targets-rogue-sponsors-but-workers-also-need-safeguarding>.

<sup>6</sup> Home Office, 'Rogue Employers Will Be Banned from Hiring Overseas Workers', GOV.UK, 2024, <https://www.gov.uk/government/news/rogue-employers-will-be-banned-from-hiring-overseas-workers>.

Scheme will provide sufficient assistance to the tens of thousands of migrant workers who have been exploited by their visa sponsors, or who have been affected by Home Office sponsor enforcement activities.

Karthick\*, who grew up in North India, believed it to be a normal request when the immigration agent told him it would cost £16,000 to find him a care worker role with an agency in the UK. He viewed this money as an investment in his career, and promised to pay back his family and friends once he started the job. His Certificate of Sponsorship told him he had a contract with a care agency in the UK, providing him with full time employment for a salary of £23,200 per year.

After Karthik arrived in the UK, his employer told him he would need to get a DBS check, which he applied for and received. He was then told to attend three days of training, which he had to pay for himself. Next, he was told he needed to learn to drive and buy a car, which he could not do as he had run out of money.

After a couple of months of no work or pay, his sponsor gave him a couple of shifts a week doing general maintenance work, but the shifts were not the work he had signed up for, and were too sporadic to pay enough for him to live on. This kind of irregular work continued for 6 months, with Karthick holding on to hope that the hours would increase or that the care job he was promised would finally materialise.

After 8 months in the UK, he heard that the sponsor has lost their license, and then soon after he received a visa curtailment letter from the Home Office. The curtailment letter gave him 60 days to find a new sponsor, after which his right to be in the UK would end. He has found some care agencies that have offered to employ and sponsor him, but they, too, are charging thousands of pounds. He doesn't want to be scammed again, but is considering going into further debt to pay for another sponsorship, so he doesn't have to return to India with nothing.

17. Ultimately, the success of this latest policy is contingent on the success of the Rematching Scheme. Based on the evidence below, our view is that this policy is both unlikely to achieve its stated aim, and is an inadequate response to achieve the stated aim of supporting displaced migrant workers.
18. Firstly, there are serious concerns around the low awareness levels that workers have of the Rematching Scheme. For example, the Work Rights Centre carried out a survey between 10 February and 3 March 2025 to understand how

many migrant care workers were aware of the Rematching Scheme. Out of a total of 141 survey respondents who had experienced sponsor licence revocation or non-provision of contractual work-hours, 103 respondents (73%) had not heard about the Rematching Scheme.

19. Secondly, it is questionable how successfully the Rematching Scheme is operating. Our survey indicated that only 42 individuals had contacted their relevant regional partnership for support. Worryingly, at the time of survey completion none had been successfully rematched into new employment. The 42 respondents in this category included 4 individuals who experienced mistreatment by the sponsor, and 38 individuals who had experienced non-provision of work or were affected by sponsor licence revocation.
20. These concerns are supported by data held by the government. A recent response to a Freedom of Information (FOI) request sent by the Work Rights Centre indicates that between 1 July 2024 and 31 January 2025, regional partnerships reported to DHSC that 7,048 international care workers had contacted their partnerships for support.<sup>7</sup> In the same time period, partnerships reported that only 421 of these care workers had been supported into new employment, representing a success rate of only 5.97%.
21. There are a couple of caveats to the data in the FOI response. A statement on the data held by DHSC suggests that the number of people supported into new employment is based on *“the assumption that each worker has been granted a new visa. It has not been independently verified by DHSC or UK Visas and Immigration (UKVI).”* This suggests that the already low number of workers supported into new sponsored employment may itself be an overestimate. DHSC have also suggested that these figures do not provide a complete picture of the number of workers matched into new employment, partly because workers were under no obligation to report their employment outcomes back to their region, and because the data does not include workers who may have found work themselves after initially contacting their regional partnership.
22. However, these factors are unlikely to materially change the figures cited above, as the likelihood of workers being able to successfully find a sponsor independently is arguably even lower than it is with assistance through the Rematching Scheme. For example, our November 2024 report on migrant care workers’ experiences in England’s adult social care sector, found that many

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<sup>7</sup> ‘FOI 1573721 - Number of Care Workers Who Accessed Support via International Recruitment Fund’, WhatDoTheyKnow, 3 November 2025, [https://www.whatdotheyknow.com/request/number\\_of\\_care\\_workers\\_who\\_acces#incoming-2942827](https://www.whatdotheyknow.com/request/number_of_care_workers_who_acces#incoming-2942827).

workers experienced significant barriers when trying to switch sponsors - including employers' reticence to front the cost of sponsorship, or a general perception of sponsored workers as being risky candidates.

23. The government's latest policy change (making it mandatory for sponsors to seek to recruit from the Rematching Scheme pool first before seeking to recruit from elsewhere) implies that it is the lack of engagement from sponsors with the Rematching Scheme that is responsible for the low numbers that have been successfully supported into new sponsored employment.
24. The available evidence on the Rematching Scheme points to a more complex picture. For example, in January 2025, an interim report evaluating the use of the DHSC International Recruitment Fund in the West Midlands found that there are practical barriers to recruitment from those accessing the Rematching Scheme, including not having a UK driving licence or access to a vehicle for work purposes, experiencing health issues and not having the right care skills or experience.<sup>8</sup> Similarly, it appears that not all workers have been signposted to the Rematching Scheme, "mainly due to break in contact between UKVI and some workers".
25. For these reasons, we believe the changes will imperfectly achieve their policy objectives.

**Without reconsideration, the policies underlying these changes risk breaching the UK's international human rights obligations**

26. Given all the available evidence, we are extremely concerned that this Statement of Changes is not going to make any material difference to the tens of thousands of people who are currently out of work, in debt, and on the brink of destitution as a result of systemic failings within the Skilled Worker route.
27. Notably, without meaningful protections for affected workers, the Skilled Worker route in its current configuration is at risk of breaching the UK's international human rights obligations. This includes potential breaches of **Article 3** (prohibition on torture, inhuman or degrading treatment and punishment), **Article 4** (prohibition on slavery and forced labour) and **Article 8** (right to respect for private and family life) of the European Convention on Human Rights ('ECHR').

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<sup>8</sup> Kathryn Hudson, 'Creating a Sustainable Adult Social Care Workforce: International Recruitment 24/25 in West Midlands Interim Learning & Evaluation', ADASS West Midlands, January 2025, <https://www.wm-adass.org.uk/media/y4wfi5c5/ir-evaluation-report-final-1.pdf>.

28. We are particularly concerned about the widespread risk of forced labour, as people who have been unsuccessfully trying to find a sponsor for months might see no choice but to take up precarious work on the black market, where they risk re-exploitation. The case study included here illustrate these risks.

Mariam\*, a nurse from Pakistan came to the UK with her young child under the Skilled Worker – Health and Care Worker route. Upon arrival, she realised she had been the victim of a scam. She had paid £25,000 in recruitment fees but was never provided with the work agreed in her contract – or indeed declared by the sponsor to the Home Office.

Excluded from any public funds, and unable to find another sponsor or legally work for a non-licensed employer, she described getting by precariously by relying on cash-in-hand work, help from family, and assistance from food banks. The words she shared with our researchers reflect a desperate situation which, regrettably, has been flagged by our team, unions, and other charities time and again.

*I requested him to give me job. He said, if I pressure him for work, he will terminate my employment. I will lose my visa. I am a single mother with a six-year-old daughter. I was a nurse back home. I worked in a state hospital. I left my job, sold my properties and borrowed money from relatives to come to this country for better future. Now I rely on food bank, cash in hand job, and relatives' support. What a painful situation is it which I cannot explain! Sometimes I feel myself as a beggar when I go to the food bank for food or ask relatives for help, although I have degree in nursing and work experience as a nurse. I tried to convince my employer that I have good skills and work experience. He didn't listen to anything and said straightforward that he has no job for me. This company is rated "Good" by CQC and it is one of the companies which is listed among database of care companies that was built by campaigners recently.*

29. Given these risks, and the size of the affected cohort, the government must reconsider its approach and think about long-term solutions.

30. In particular, the government should consider:

- a. Adopting a Workplace Justice Visa for victims who report exploitation. Inspired by measures applicable in other countries that operate iterations of employer-sponsored visas (such as Canada, Finland, and particularly Australia), this new route could empower people who

suffered exploitation and reported it to labour rights authorities or support services to leave abusive sponsors by providing them with a new, secure immigration status - thus removing the debilitating fear of falling into irregularity, and providing them with the means to support themselves.

- b. Giving all sponsored workers more time to find alternative employment. While opening a UK Workplace Justice visa would be a lifeline for people who report an exploitative sponsor, there will almost certainly be people who should qualify for this route but fail to obtain it – be it due to their inability to engage with the reporting process, the level of evidential requirements, or other factors. To empower those individuals to leave abusive workplaces and find a new sponsor, the Home Office should formally extend the 60-day grace period between the end of employment and visa curtailment. A general extension to six months would match more generous timeframes seen in other countries, and would give all migrant workers a more reasonable timeframe in which to find another job, make another immigration application or ultimately leave the UK.
- c. Increasing penalties for individuals and employers that are abusing sponsorship. Currently, there is no punitive mechanism to hold rogue sponsors to account, beyond the licence revocation. This stands in stark contrast with the punitive regime that applies to the illegal working offence, where employers risk fines of up to £60,000 per worker, and up to five years prison time. By establishing new criminal offences and a civil penalty regime for employers who abuse the sponsorship system and migrant workers, the government could help to compensate workers directly for the consequences of mistreatment, including on issues like non-payment of wages. This could also help to subsidise the costs of running a UK Workplace Justice visa system at no charge to prospective applicants.

## **Conclusion**

31. For the above reasons, we ask for careful scrutiny and ask that each House provides the Home Secretary the opportunity to reconsider the policies underlying these changes.

18 March 2025